*Indianapolis and Cincinnati R. R. Co.* v. *Rutherford,* 29 Ind. 82, the court said that a carrier is no more bound to barricade windows to prevent passengers from extending limbs outside than to lock doors to prevent them from going from car to car while the train is in motion. This has been the holding in the following cases: *Railroad* v. *McClurg,* 56 Pa. St. 294; *Todd* v. *Railroad,* 89 Mass, 207; *Railroad* v. *Scott,* 88 Va. 958; *Dun* v. *Railroad,* 78 Va. 645; *Knauss* v. *Railroad Co.,* 29 Ind. App. 216; *Favre* v. *Railroad,* 91 Ky. 541; *Railroad* v. *Jacoby,* 14 Ky. L. R. 763; *Carrico* v. *Railway Co.,* 39 W. Va. 86. The contrary doctrine has, however, been held in *Spencer* v. *Railroad,* 17 Wis. 487, and in *Barton* v. *Railroad,* 52 Mo. 253, which cases flatly contradict the foregoing. But in *Railroad* v. *Pondrom,* 51 Ill. 333, it was held that a railroad company would be liable for the injury to a passenger notwithstanding his negligence in permitting his arm to protrude, on the ground of comparative negligence. As the doctrine of comparative negligence has been abolished (*St. Ry. Co.* v. *Meixner,* 160 Ill. 320), it is doubtful if the Illinois court would hold the same way now. It also seems to be well established that if, instead of being a passenger on a steam road, plaintiff is a passenger on an electric car, such protrusion of a limb beyond the outer surface of the car is not necessarily, as a matter of law, an act of contributory negligence, and that the facts and circumstances should be left to the jury to determine whether or not it is. It has been so decided in *Summers* v. *Crescent City R. R. Co.,* 34 La. Ann. 139; *Miller* v. *St. Louis R. R. Co.,* 5 Mo. App. 471; *Tucker* v. *Buffalo Ry. Co.,* 53 N. Y. App. Div. 571; *Dahlberg* v. *Minneapolis St. Ry. Co.,* 32 Minn. 404. But in *Butler* v. *Railway Co.,* 139 Pa. St. 195, a boy was sitting on the front platform of the car and his knees projected beyond the edge so that they were struck by an obstacle by the side of the track and a nonsuit was held not to be error. Also in *Christenson* v. *Metropolitan St. Ry. Co.,* 137 Fed. Rep. 708, a passenger who, on account of sudden illness, extended her head through the window and was struck by a trolley pole was held to be chargeable with contributory negligence as a matter of law. HUTCHINSON, CARRIERS, § 659, favors the rule as applied to street railways on account of the extraordinary diligence required of the carrier to secure his passenger against harm. However, in a recent Ohio case (see next note), SPEAR, J., says that the distinction between a passenger on an electric car and on a steam car in this respect seems to be without reason.

CARRIERS—CONTRIBUTORY NEGLIGENCE—PROTRUDING ARMS OF PASSENGERS. —Plaintiff, a passenger on an interurban electric railway car, needlessly laid her arm on a bar at one of the windows and it was struck by a car passing in the opposite direction on a parallel track. The bar was so located with respect to the seat that passengers would naturally rest their arms thereon and they were in the habit of so doing, yet there was no notice or warning of danger given plaintiff. *Held,* that plaintiff was guilty of contributory negligence as a matter of law barring recovery. *Interurban Railway and Terminal Co. et al.* v. *Hancock* (1906), — Ohio —, 78 N. E. Rep. 964.

See preceding note.